

The purpose of this thesis is to provide a complex description of the conduct of the arbitration proceedings in the Czech Republic. Specifically with the focus on typical features that differ arbitration from proceedings before courts, and on special types of proceedings.

Arbitration can be characterized as one of the ways to settle a dispute, that arises between two or more parties. Common way of resolving a dispute is by referring it to a state court, who will issue a judgment that is binding upon the parties and can be enforced. In certain areas of private relationships, the state offers the parties the opportunity to submit their dispute to a private body, whose decision they agree to respect as if it was a decision of a general court. These types of dispute resolution can be characterized as alternatives to the classical way of resolution by the courts (alternative dispute resolution or ADR).

Arbitration proceedings in the Czech republic are conducted in accordance with the Act No. 216/1994 Coll., on Arbitration Procedure and the Enforcement of Arbitration Awards, as amended (Arbitration Act). Since its adoption, there have been some amendments of this Arbitration Act, in order to reflect modern trends in the conduct of the proceedings as well as to correct its weaknesses, established by judgments of general courts.

In the first chapter, the focus is on the description of the characteristic features of the arbitration proceedings, legal sources that guide the conduct of arbitration proceedings and also different types of arbitration proceedings. Advantages and disadvantages of arbitration compared with proceedings before general courts are also discussed.

One of the conditions that have to be fulfilled in order to be able to submit a dispute between the parties to arbitration, is called arbitrability. This can be characterized as the scope of disputes in the private sphere of law, that can be resolved by arbitration. This is discussed in the second chapter.

Arbitration proceedings can only be conducted on the basis of an arbitration agreement concluded between the parties, that states that all the disputes that arise between them in connection with their contractual relationship, will be settled by an arbitrator or arbitral tribunal. Different types of arbitration agreements are introduced in third chapter.

The fourth chapter is dedicated to the person, who decides the dispute, e.g. arbitrator. The conduct of the proceedings is described in chapter five.

A closer look on special types of arbitration proceedings, such as consumer disputes, arbitration proceedings before arbitration tribunal of an association, or arbitration proceedings before financial arbitrator, is contained in chapters six to eight.

The last two chapters are focused on the arbitral award and how it is enforced in Czech Republic.

It can be concluded, that this topic is still very relevant, as there has recently been some major changes, especially regarding the conduct of the proceedings where one of the parties is a consumer, as well as amendments related to the recodification of civil law in the Czech Republic in 2014. These positive changes can be considered as one of the reasons why arbitration is becoming a more and more popular way to settle disputes in private relationships.